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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/689,757	10/13/2000	Chul-woo Lee	030681-032	8067

21839 7590 07/12/2002

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EXAMINER

STAFIRA, MICHAEL PATRICK

ART UNIT PAPER NUMBER

2877

DATE MAILED: 07/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/689,757

Applicant(s)

LEE ET AL.

Examiner

Michael P. Stafira

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.

2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-40 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☒ Claim(s) 1-40 is/are allowed.

6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-40 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

----- Regarding claim 1, the prior art fails to disclose or make obvious a lens device having the light controlling means permitting light in the near and far regions of the light path to reach the focal zone without imposing a relative phase change between light in the near and far regions, and in combination with the other recited limitations of claim 1. Claims 2-26 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 27, the prior art fails to disclose or make obvious a lens for use with optical memory disks of two types having the near region focuses light in the light path on the information bearing level regardless of which of the two types of optical memory disks, and in combination with the other recited limitations of claim 27. Claims 28,29 are allowed by the virtue of dependency on the allowed claim 27.

Regarding claim 30, the prior art fails to disclose or make obvious an optical pick-up device for use with optical memory disks of two types having the near region focuses light in the light path on the information bearing level regardless of which of the two types of optical memory disks, and in combination with the other recited limitations of claim 30. Claim 31 is allowed by the virtue of dependency on the allowed claim 30.

Regarding claim 32, the prior art fails to disclose or make obvious a lens device for use with optical memory disks of two types having the light controller permitting light in the near

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region of the light path to focus on the information bearing level regardless of which of the two types of optical memory disks, and in combination with the other recited limitations of claim 32.

Claims 33-36 are allowed by the virtue of dependency on the allowed claim 32.

Regarding claim 37, the prior art fails to disclose or make obvious an optical pick-up device for use with optical memory disks of two types having the light controller permitting light in the near-region of the light-path to focus on the information bearing level regardless of which of the two types of optical memory disks such that light in the near axial region reaches the photodetector, and in combination with the other recited limitations of claim 37. Claims 38-40 are allowed by the virtue of dependency on the allowed claim 37.

### *Conclusion*

2. This application is in condition for allowance except for the following formal matters:
3. Applicant is required by MPEP 1416 to surrender the original ribboned copy of the patent or provide a statement addressing the loss or inaccessibility of the original patent. This must be received before the reissue application can be allowed.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 703-308-4837. The examiner can normally be reached on 4/10.

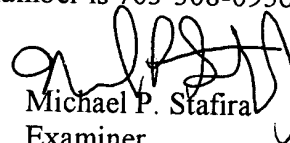
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 703-308-4881. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Michael P. Stafira  
Examiner  
Art Unit 2877

June 5, 2002